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12 Attorneys for Defendant-Counterclaimant TOWNSHEND
13 INTELLECTUAL PROPERTY, L.L.C., and Defendant BRENT
14 TOWNSHEND

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

12 _____)
13 IN RE TOWNSHEND PATENT LITIGATION)
14 _____)
15 This document relates to:) Master File Number: C-02-4833-JF
16 ESS TECHNOLOGY, INC., a California) (PVT)
17 corporation,) Case No. C-01-1300-JF (PVT)
18 Plaintiff,)
19 v.)
20 BRENT TOWNSHEND, an individual, and)
21 TOWNSHEND INTELLECTUAL PROPERTY,)
22 L.L.C., a California L.L.C.,)
23 Defendants.)
24 _____)
25 AND RELATED COUNTERCLAIMS)
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**STIPULATION AND [PROPOSED]
ORDER REGARDING SCHEDULE**

1 WHEREAS, pursuant to the Stipulation and Order Regarding Schedule dated December
2 9, 2005, the current due date for rebuttal expert reports on subjects other than damages is
3 December 16, 2005; and

4 WHEREAS, pursuant to the Stipulation and Order Regarding Schedule, the current due
5 date for opening damages expert reports is December 19, 2005; and

6 WHEREAS, the parties have agreed to continue these dates in light of their agreement in
7 principle to resolve the case, which is now being reduced to final form;

8 THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

11 2. The parties are to serve expert reports for which they bear the burden of proof on
12 the issue of damages by December 21, 2005.

13 ||| 3. No other dates are affected by this stipulation and Order.

14 | DATED: December 16, 2005

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

16 By _____ /s/
17 Maura L. Rees

18 Attorneys for Defendant-Counterclaimant
19 TOWNSHEND INTELLECTUAL PROPERTY,
L.L.C., and Defendant BRENT TOWNSHEND

DATED: December 16, 2005

MILBANK TWEED HADLEY & McCLOY LLP

22
23 By _____ /s/
James Pooley

24 Attorneys for Plaintiff and Counterdefendant
25 ESS TECHNOLOGY, INC.

ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.

Dated: 12/21/05

/s/electronic signature authorized

Hon. Jeremy Fogel
United States District Court Judge

DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of the document was obtained from each of the other signatories.

DATED: December 16, 2005

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By _____ /s/
Maura L. Rees

Atorneys for Defendant-Counterclaimant
TOWNSHEND INTELLECTUAL PROPERTY,
L.L.C., and Defendant BRENT TOWNSHEND